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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,213	10/17/2000	Malik Mamdani		2169

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EXAMINER	
IQBAL, KHAWAR	
ART UNIT	**PAPER NUMBER**
2617	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/690,213	MAMDANI ET AL.	
	Examiner	Art Unit	
	Khawar Iqbal	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 January 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-45 and 47-49* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-45 and 47-49* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *3-22-07 and 1-16-07*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-3,5-25,30,34-44,47 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hymel et al (WO 00/03328) and further in view of Lewis (20030105641).

3. Regarding claim 1 Hymel et al teaches a method for facilitating a wireless transaction (figs. 2,3,7 and 10) comprising:

receiving, by a wireless communication device (SCR10), a first transaction code representative of the transaction request (user's SCR receiving and stores information that information is displayed in bar code format, redeemed coupon to learn demographic information) (page 2, lines 1-9, page 3, lines 33-36, page 4, lines 19-20, page 10, lines 14-19); and

displaying the first transaction code on a visual display of the wireless communication device (bar code on a visual display of the SCR10, see figs. 1-3) (page 4, lines 3-5, see above); and

optically scanning the first transaction code from the visual display of the wireless communication device so as to trigger at least a physical fulfillment event (displaying stored user information on the SCR10 in bar code format such that the stored user

information can be read at the point-of-sale by scanner se step 182, fig. 9) (page 9, line 32-page 10, line 3, page 11, lines 14-20). Hymel et al teaches user information is stored in the selective call receiver. A coupon is displayed on the selective call receiver, in a barcode format such that the coupon can be read and redeemed at a point of sale. The user information is updated in the selective call receiver so as to reflect the use of the receiver and the redemption of the coupon. Hymel et al does not specifically state permitting personal bodily entry into or through the physical structure.

In an analogous art, Lewis teaches receiving a wireless transaction request from a transaction requester seeking personal bodily entry into or through a physical structure using a wireless communications device (signal such as an infrared signal or an UPC displayed on a display associated with the device 182, para. # 0030-0031). A computer system (18) provides a screen to a handheld device, when it accesses the system over Internet. The screen has information relating to the selection of an event, purchasing of a electronic ticket (22) include barcode 42 for the event, payment for the electronic ticket and generating the ticket to gain entrance at the event, an UPC displayed on a display associated with the device 182. The validation system (24) validates the electronic ticket include barcode 42 (22) to allow entrance into the event. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Hymel et al by specifically adding permitting personal bodily entry into or through the physical structure it for the purpose of increasing the efficiency of communication system and providing demographic information and to redeem code for users of selective call receiver as taught by Lewis.

Regarding claim 30 Hymel et al teaches a system for facilitating a wireless transaction (figs. 3,7,10), comprising:

a wireless communication device capable of (fig.1, fig. 7, device 10, fig. 10, device 10):

receiving a transaction code (page 3, lines 33-36, page 4, lines 19-20); and

displaying the transaction code on a visual display of the wireless communication device (page 4, lines 5-10); and

a transaction apparatus capable of: receiving a request to transact for a particular product from a transaction requester (page 2, lines 1-9, page 4, lines 19-20, page 12, line 33-page 13, line 5, page 13 lines 29-37, page 14, line 3-37);

verifying an identity of the transaction requester, communicating a transaction code to the wireless communication device base on the request to transact (page. 4, lines 5-15,page 6, lines 11-15, see above); and

optically scanning the transaction code from the visual display of the wireless communication device at a non-point of sale location (scanner 132, fig. 7) so as to trigger at least a physical or information fulfillment event, said fulfillment event (page 9, line 32-page 10, line 3, page 11, lines 14-20). Hymel et al teaches user information is stored in the selective call receiver. A coupon is displayed on the selective call receiver, in a barcode format such that the coupon can be read and redeemed at a point of sale. The user information is updated in the selective call receiver so as to reflect the use of the receiver and the redemption of the coupon. Hymel et al does not specifically state permitting personal bodily entry into or through the physical structure.

In an analogous art, Lewis teaches receiving a wireless transaction request from a transaction requester seeking personal bodily entry into or through a physical structure using a wireless communications device (signal such as an infrared signal or an UPC displayed on a display associated with the device 182, para. # 0030-0031). A computer system (18) provides a screen to a handheld device, when it access the system over Internet. The screen has information relating to the selection of an event, purchasing of a electronic ticket include barcode 42 (22) for the event, payment for the electronic ticket and generating the ticket to gain entrance at the event, an UPC displayed on a display associated with the device 182. The validation system (24) validates the electronic ticket include barcode 42 (22) to allow entrance into the event. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Hymel et al by specifically adding permitting personal bodily entry into or through the physical structure it for the purpose of increasing the efficiency of communication system and providing demographic information and to redeem code for users of selective call receiver as taught by Lewis.

As to claim 47 it is considered the claim is rejected for the same reason as set forth in claim 1.

As to claim 48 it is considered the claim is rejected for the same reason as set forth in claim 30.

Regarding claim 2 Hymel et al teaches wherein receiving the first transaction code includes receiving a first optically scannable transaction code (page 4, lines 5-15, page 6, lines 11-15, fig.2, see claim 1).

Regarding claim 3 Hymel et al teaches wherein receiving the first optically scannable transaction code includes receiving a first transaction barcode (page 4, lines 3-15, page 6, lines 11-15 fig.2, 3, see claim 1).

Regarding claim 5 Hymel et al teaches communicating the first transaction code from a transaction apparatus to the wireless communication device (page 4 lines 3-5, see claim 1).

Regarding claims 6-8 Hymel et al teaches wherein communicating the first transaction code includes communicating the first transaction code directly from the transaction apparatus to the wireless communication device (page 6, lines 11-36).

Regarding claim 9 Hymel et al teaches further comprising: verifying the first transaction code in response to scanning the transaction code (page 10, lines 1-20).

Regarding claim 10 Hymel et al teaches wherein verifying the first transaction code includes communicating a decoded representation of the first transaction code from a transaction fulfillment system of a transaction apparatus to a transaction management system of the transaction apparatus (page 10, lines16-25).

Regarding claim 11 Hymel et al teaches receiving, by the wireless communication device, a second transaction code after verifying the first transaction code (page 7, lines 7-32, page 8, line 26, page 9, line 10).

Regarding claim 12 Hymel et al teaches wherein receiving the second transaction code includes receiving a second optically scannable transaction code (page 8, line 26, page 9, line 10 page 7, lines 7-32).

Regarding claim 13 Hymel et al teaches wherein receiving the second optically scannable transaction code includes receiving a second transaction barcode (page 7, lines 7-32, page 8, line 26, page 9, line 10).

Regarding claim 14 Hymel et al teaches communicating the second transaction code from a transaction apparatus to the wireless communication device (page 8, line 26, page 9, line 10, page 7, lines 7-32).

Regarding claim 15 Hymel et al teaches communicating the second transaction code includes communicating the second transaction code directly from the transaction apparatus to the wireless device (page 8, line 26, page 9, line 10, page 7, lines 7-32)

Regarding claim 16 Hymel et al teaches wherein communicating the second transaction code directly from the transaction apparatus includes communicating the second transaction code from a radio transceiver of the transaction apparatus to a radio transceiver of the wireless communication device (page 7, lines 7-32, page 8, line 26, page 8, line 10).

Regarding claim 17 Hymel et al teaches wherein communicating the second transaction code from the radio transceiver of the transaction apparatus includes communicating the second transaction code from a transaction fulfillment system of the transaction apparatus (page 8, line 26, page 8, line 10,page 12, lines 1-12 page 7, lines 7-32).

Regarding claim 18 Hymel et al teaches, further comprising: optically scanning the second transaction code from the visual display of the wireless communication device; verifying the second transaction code; and receiving, by the wireless

communication device, a transaction fulfillment message (page 8, line 26, page 8, line 10, page 12, lines 1-12 page 7, lines 7-32).

Regarding claim 19 Hymel et al teaches further comprising: communicating the transaction fulfillment message from a transaction apparatus to the wireless communication device (page 12, lines 1-12 page 7, lines 7-32).

Regarding claim 20 Hymel et al teaches where communicating the transaction fulfillment message includes communicating the transaction fulfillment message directly from the transaction apparatus to the wireless communication device (page 12, lines 1-12 page 7, lines 7-32).

Regarding claim 21 Hymel et al teaches wherein communicating the transaction fulfillment message directly from the transaction apparatus includes communicating the transaction fulfillment message from a radio transceiver of the transaction apparatus to a radio transceiver of the wireless communication device (page 12, lines 1-12 page 7, lines 7-32).

Regarding claim 22 Hymel et al teaches wherein communicating the transaction fulfillment message from the radio transceiver of the transaction apparatus includes communicating the transaction fulfillment message from a transaction fulfillment system of the transaction apparatus (page 12, lines 1-12 page 7, lines 7-32).

Regarding claim 23 Hymel et al teaches wherein verifying the second transaction code includes communicating a decoded representation of the second transaction code from a transaction fulfillment system of a transaction apparatus to a transaction

management system of the transaction apparatus (page 12, lines 1-12 page 7, lines 7-32).

Regarding claims 24,25 Hymel et al teaches receiving, at a transaction apparatus, a transaction request from a transaction requester; verifying an identity of the transaction requester, and communicating the first transaction code from the transaction apparatus to the wireless communication device after verifying the identity of the transaction requester and wherein receiving the transaction request includes receiving the transaction request from the wireless communication device of the transaction requester (page 7, line 30-page 8, line 9, page 10, lines 5-13 and 20-25).

Regarding claims 34-39 and 49 Hymel et al teaches wherein the transaction apparatus is coupled to a telecommunication network system for enabling communication with the wireless communication device (fig. 7, 10), wherein the transaction apparatus is coupled to a telecommunication network system for enabling communication with the wireless communication device and wherein the transaction apparatus is coupled to the telecommunication network through a computer network system (page 6, lines 23-36, page 12, line 33-page 13, line 5, page 13 lines 29-37, page 14, line 3-37, see clam 1).

Regarding claims 40-44 Hymel et al teaches wherein the transaction apparatus includes a code scanning device for optically scanning the transaction code, wherein the code scanning device includes a bar code reader and wherein the transaction apparatus and the wireless communication device each include a radio transceiver for

enabling, communication directly between the wireless communication device and the transaction apparatus (page 9 line 32-page 10, line 25, see above).

Claims 26-29,31-33 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ulvinen et al (6393305) and further in view of Hymel et al (WO 00/03328) and Lewis (20030105641).

Regarding claims 26-29,31-33 and 45 Ulvinen et al teaches a method for facilitating a wireless transaction, comprising (abstract, fig. 3):

communicating a transaction request from a wireless communication device to a transaction apparatus (col.4, lines 55-67);

communicating a spoken authentication code from the wireless communication device to the transaction apparatus (col.2, lines 31-44);

authenticating the spoken authentication code (abstract); receiving, by the wireless communication device (col. 6, lines 38-47), a transaction code after authenticating the spoken authentication code (col.5, lines 1-28, fig. 3). Ulvinen et al does not specifically teach displaying the transaction code on a visual display of the wireless communication device; and optically scanning the transaction code from the visual display of the wireless communication device.

In an analogous art, Hymel et al teaches displaying the transaction code on a visual display of the wireless communication device (page 14, lines 3-37, page 2, lines 1-9, page 4, lines 19-20); and optically scanning the transaction code from the visual display of the wireless communication device so as to trigger at least a physical fulfillment event, said fulfillment event (page 9, line 32-page 10, line 3, page 11, lines

14-20). The user information is displayed on the selective call receiver such that it can be read. The barcode is received by the selective call receiver in the form of a transmitted message. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Ulvinen et al by specifically adding a code display on the wireless device and optically scanned it for the purpose of increasing the efficiency of communication system and providing demographic information and to redeem code for users of selective call receiver as taught by Hymel et al. Hymel et al and Lewis et al do not specifically teach permitting personal bodily entry into or through the physical structure.

In an analogous art, Lewis teaches receiving a wireless transaction request from a transaction requester seeking personal bodily entry into or through a physical structure using a wireless communications device (signal such as an infrared signal or an UPC displayed on a display associated with the device 182, para. # 0030-0031). A computer system (18) provides a screen to a handheld device, when it access the system over Internet. The screen has information relating to the selection of an event, purchasing of a electronic ticket include barcode 42 (22) for the event, payment for the electronic ticket and generating the ticket to gain entrance at the event, an UPC displayed on a display associated with the device 182. The validation system (24) validates the electronic ticket include barcode 42 (22) to allow entrance into the event. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Hymel et al by specifically adding permitting personal bodily entry into or through the physical structure it for the purpose of

increasing the efficiency of communication system and providing demographic information and to redeem code for users of selective call receiver as taught by Lewis.

Response to Arguments

4. Applicant's arguments with respect to claims 1-3,5-45,47-49 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khawar Iqbal whose telephone number is 571-272-7909.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, GEORGE ENG can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Khawar Iqbal

GEORGE ENG
SUPERVISORY PATENT EXAMINER